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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,046	11/21/2001	Julian Marshall	5809.P003	4475

7590

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EXAMINER

LUU, MATTHEW

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/992,046

**Applicant(s)**

MARSHALL ET AL.

**Examiner**

LUU MATTHEW

**Art Unit**

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-107 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-107 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Election/Restrictions***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-5, drawn to computer input device, classified in class 345, subclass 156.
- II. Claims 6-7, 44-45, 87, and 95, drawn to film viewing device, classified in class 348, subclass 14.3.
- III. Claims 8-14, 38-43, 46, 70-72, 89, and 100, drawn to iconic layout, classified in class 345, subclass 763.
- IV. Claims 15-17, 47-49, 73-74, and 90, drawn to printer communication, classified in class 358, subclass 1.1.
- V. Claims 18-23, 50-55, 80-82, 91-94, and 100, drawn to brightness and contrast adjustment, classified in class 345, subclass 589.
- VI. Claims 24-25, 56-57, 76-77, 102-103, drawn to display delay mechanism, classified in class 345, subclass 212.
- VII. Claims 26-27, 58-59, and 88-89, drawn to auto load mechanism to permit review a preprogrammed series of image, classified in class 345, subclass 704.
- VIII. Claims 28-31, 60-63, 96-97, drawn to navigation among historical images, classified in class 345, subclass 854.
- IX. Claims 64-68, 78, 83-86, 98-99, 104-107, drawn to loading unit, classified in class 345, subclass 749.

Art Unit: 2672

Inventions I, II, III, IV, V, VI, VII, VIII, and IX are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each one of the inventions recited in groups I, II, III, IV, V, VI, VII, VIII, and IX is separately usable in a system not having the other. For example, invention of group I has separate utility such as in an independent display system having different types of input mechanism such as a barcode scanner, a camera, a microphone and a voice recognition system, etc., without a film viewing device, an iconic layout configuration, a printer communication system, a brightness and contrast adjustment system, a display mechanism, an auto load mechanism to permit review a preprogrammed series of image, a navigation system among historical images, and a data loading unit, and vice versa.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and their divergent subject matter, restriction for examination purposes as indicated is proper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (703) 305-4850. The examiner can normally be reached on 9 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAZAVI MICHAEL can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu

A handwritten signature in black ink, appearing to read 'Matthew Luu', with a large, stylized initial 'M'.

**MATTHEW LUU**  
**PRIMARY EXAMINER**